PRICE, CUSHMAN, KECK & MAHIN
LAW OFFICES
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AREA CODE 312

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OF COUNSEL:
WALTER S. UNDERWOOD

JOHN E. MACLEISH (1969)
CRANSTON SPRAY (1967)
CHARLES F. HOUGH (1968)

July 26, 1971

AIR MAIL

FILE NO. 3710

Mr. E. J. Bock, President
Monsanto Company
7 Huntleigh Woods
St. Louis, Missouri 63131

Mr. E. J. Putzell, Jr., Secretary
Monsanto Company
9884 Copper Hill Road
St. Louis, Missouri 63124

Legal Department
Monsanto Company
7 Huntleigh Woods
St. Louis, Missouri 63131

Gentlemen:

We represent the Monteagle Silo Company, Monteagle, Tennessee, in connection with a series of claims made against it as a result of their use of Monsanto's arochlor-1254. Your records will reveal that our client has purchased a substantial quantity of arochlor-1254 over the past several years for use in coating the interiors of concrete stave silos.

We understand you are already aware that various governmental agencies have determined that your product contaminates silage, which results in possible injury to livestock and, more important, contamination of the milk obtained from such livestock. Enclosed for your file on this matter are copies of letters sent by the State of Alabama Pesticide Residue Laboratory and the State of Georgia Agriculture Department, Dairy Division, which are self-explanatory.

DSW 379575

STLCOPCB4100347

PRICE, CUSHMAN, KECK & MAHIN

It appears that the only method for correcting this problem is to empty the silo, sandblast the interior and replaster. We believe that if these claims are handled quickly, the problem will be resolved at the least cost. We are prepared to work with you to amicably resolve these claims, but it should be understood that the financial burden is properly borne by the Monsanto Company. You will also understand that our client's business reputation, future profits and its very existence depends on Monsanto's prompt action, and we therefore urge you to give this matter your immediate attention.

We look forward to hearing from you.

Very truly yours,

Edward S. Silber

EDWARD S. SILBER

ESS:jmp

cc: Monteagle Silo Company

DSW 379576

Department of Agriculture
AGRICULTURE BUILDING CAPITOL SQUARE
ATLANTA, GEORGIA 30334 •

Thomas T. Irvin
Commissioner

(404) 656-3625

June 16, 1971

Monteagle Silo Company
Monteagle, Tennessee

Attention Mr. Boswell

Gentlemen:

Regarding the contamination of silage with P.B.C. from your silos, I appreciate what you did for the Carlton Brothers silo at Rockmart, but so far nothing has been done for the Progressive Land Development Company (Old McCorkle Dairy), Leesburg, and the two silos at R. M. Patterson Dairy, Douglasville, Georgia.

The lining of these silos is causing a high P.B.C. count in the silage of these producers and it is imperative that these silos be fixed as soon as possible as the silage season begins this month.

Effective this date, no silage can be put into these silos without first having proper treatment, if the silage is to be fed to cows for production of Grade A milk.

I think we have given you an ample length of time to correct these silos. I would appreciate your immediate attention and intention. Please give me a reply to this letter within 10 days.

Yours truly,

Gene Dally

Gene Dally
Assistant Division Director-Milk

GD:bs

cc: Progressive Land Development
Mr. R. M. Patterson

DSW 379577

STLCOPCB4100349

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
PESTICIDE RESIDUE LABORATORY DIVISION
HIGHWAY 29 AT DONAHUE DRIVE
P. O. BOX 370
AUBURN, ALABAMA - 36830

RICHARD "DICK" BEARD
COMMISSIONER

REX W. RICHBURG
DIRECTOR

To: Name: Robert H. Furgato Address: Route #2
City: Tallassee State: Alabama Zip: 36078

REPORT OF ANALYSIS OF SAMPLE NO. R-1167

Processor	Product	Priority	Route or Batch No.	Date Collected	Date Received	County	Extension District
Code 80	Mortar from silo			7-1-71	7-2-71	29	II

SAMPLE ANALYZED FOR:	Pesticide Found	Amount Found: Parts per Million	FDA Tolerance
__ Chlorinated Insectcides: examples DDT, BHC, Lindane			
__ Organic Phosphate: example, Parathion			
__ Carbamates: example Carbaryi			
__ Herbicides: example: 2,4-D			
__ Fungicides			
X Others:	Arochlor 1254	.50	**

Notice: For further information and help pertaining to pesticide residues in this sample, consult your County Extension Chairman, or Rex W. Richburg, Director of the Alabama Pesticide Laboratory, P. O. Box 370, Auburn, Alabama 36830.

* Less than .01 ppm
** No Established Tolerance

REMARKS

cc: Monteagle Silo, Inc.

7-12-71
Date

Director

DSW 379578

STLCOPCB4100350

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
PESTICIDE RESIDUE LABORATORY DIVISION
HIGHWAY 29 AT DONAHUE DRIVE
P. O. BOX 370
AUBURN, ALABAMA · 36830

RICHARD "DICK" BEARD
COMMISSIONER

REX W. RICHBURG
DIRECTOR

To: Name: George Atkinson Address: Monteagle Silor Company
City: P.O. Box 798 State: Monteagle, Tenn Zip: 37356

Collected		County	District	Processor	Reported
7-9-71		Tennessee			7-14-71
Sample No. Lab.	Field	Product	Route or Batch	Pesticide Found	Findings - PPM
R1174		Scrapings 1" out #4		PCB1254	150
R1175		Center of Block - #3		PCB1254	230
R1176		After 1/8" removed under plaster - #5		PCB 1254	30
R1177		Center of Block - #3B		PCB 1254	450
R1178		Plaster off 1" joint - #2A		PCB 1254	375
R1179		Plaster off 1" joint #2B		PCB 1254	300
R1180		Plaster offjoint #1A		PCB 1254	111
R1181		Plaster off joint #1B		PCB 1254	1050

REMARKS

Sample Technician

Chemist

Director

*Less than .01 ppm

DSW 379579

STLCOPCB4100351

SUMMARY REPORT OF SAMPLES COLLECTED

From: Rosedale Dairy Farm
P. O. Box 333
Tuscumbia, Alabama 35674

Original Lab No. 7996 / 8171 **Findings** Arochlor 1254 - 1.8 ppm.

Re-Samples

Product	Lab No.	Results
80 - Silage - Middle Silo)	8319	Arochlor 1254 - .20 ppm.
80 - Silage - Edge of Silo)	8320	Arochlor 1254 - 22.8 ppm.
80 - Rock from silo)	8321	No Significant Residue
80 - Scrapings from Silo	8322	Arochlor 1254 - 1575.4 ppm.

Conclusions

To avoid further product of contaminated milk the feeding of present supply of silage should be stopped and the inside of the silo should be stripped out and refinished with materials which are free of Aroclors (PCB)

6-28-71
Date

Director, Alabama Pesticide Laboratory

DSW 379580

STLCOPCB4100352